

Division of Consumer Affairs New Jersey Board of Nursing 124 Halsey Street, P.O. Box 45010 Newark, New Jersey 07101 (973) 504-6430

Homemaker Home Health Aide Reinstatement Application Fees

Expiration Date of 2001 and before:	\$140.00
Expiration Date of 2003:	\$120.00
Expiration Date of 2005:	\$100.00
Expiration Date of 2007:	\$80.00
Expiration Date of 2009:	\$50.00

Homemaker-Home Health Aide

Expired More Than Five Years

Instructions for Completing the Criminal History Review for Certification Reinstatement

New Jersey Office of the Attorney General Division of Consumer Affairs
New Jersey Board of Nursing
Criminal History Review Unit

APPLICANT PROCEDURE INSTRUCTION SHEET

HOMEMAKER - HOME HEALTH AIDE EMPLOYEE CRIMINAL HISTORY REVIEW

Pursuant to N.J.S.A. 45:11-24.3 et seq., all applicants for reinstatement of homemaker-home health aide certification must first submit to a **criminal history record background check**. The Board of Nursing shall not issue a homemaker-home health aide certificate to any applicant until the Board determines that no criminal history record information exists on file with the Identification Division of the Federal Bureau of Investigation, or with the State Bureau of Identification of the Division of State Police, which would disqualify that person from being certified.

- 1. In order to complete the criminal history review process, you must complete a **Certification and Authorization form** and **obtain electronic fingerprinting**. The forms that you need to obtain the electronic fingerprinting, which will initiate the criminal history record background check, will be provided by the Board of Nursing. However, it is your responsibility to schedule an appointment for the fingerprinting.
- 2. Complete and have notarized the Application for Certification as a Homemaker-Home Health Aide, and the Certification & Authorization form for a Criminal History Background Check. Applicants must answer all of the questions on the Application for Certification as a Homemaker-Home Health Aide and the Certification & Authorization form truthfully and completely.

*PLEASE NOTE: You are required to complete the application form and the Certification & Authorization form, including having your signature witnessed by a notary. Failure to consent to, or cooperate in, the securing of a criminal history background check automatically disqualifies you for employment. Please also be advised that if you submit a false sworn statement, you shall be disqualified from certification and shall not have an opportunity to establish rehabilitation.

- 3. If you have disclosed on your Certification & Authorization form that you have been convicted of a disqualifying offense, you must provide evidence of rehabilitation* along with your application.
- 4. Return the completed Certification & Authorization form in the enclosed envelope. Your failure to obtain the electronic fingerprints is grounds for denial of your reinstatement application. Your reinstatement application will not be processed until the criminal history record background check has been completed.
- 5. The Criminal History Review Unit will receive the results of the criminal history record background check and forward them to the Board of Nursing at which time a determination will be made as to whether you are qualified for recertification.

FACTORS OF REHABILITATION

*P.L.1997, c. 284 provides that the Board of Nursing may grant certification to a disqualified applicant who can affirmatively demonstrate, by clear and convincing evidence, that he/she is rehabilitated. In determining whether an applicant has affirmatively demonstrated rehabilitation, the following factors must be considered:

- 1. The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;
- 2. The nature and seriousness of the offense;
- 3. The circumstances under which the offense occurred;
- 4. The date of the offense;
- 5. The age of the person when the offense was committed;
- 6. Whether the offense was an isolated or repeated incident;
- 7. Any social conditions which may have contributed to the offense; and
- 8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the person under their supervision.

Note: All letters and documents which are used to substantiate rehabilitation must be signed by the individual who wrote the letter or document: for example, the employer, clergyman, probation officer, an official of a rehabilitation agency, or a counselor. Letters and documents that are not signed will not be considered by the Board of Nursing.

6. In the event of a disqualification, you will receive a letter outlining the offense(s) used as a basis for the disqualification with instructions regarding the appeal process. Notification of your disqualification will also be sent to the health care service firm or the home health agency which is your conditional employer or your prospective employer, or to the school where you received your training. Failure to file an appeal within 30 days will result in permanent disqualification. You will be informed in writing of all procedures to follow when filing an appeal.

All questions concerning these procedures should be directed to the Homemaker-Home Health Aide Unit at (973) 504-6546 or (973) 424-8146.

7. Your continuing responsibility to disclose convictions of disqualifying crimes/offenses: You must notify the New Jersey Board of Nursing within no more than five (5) business days if you are convicted of any of the disqualifying crimes or offenses identified on the next few pages after this form has left your hands. Failure to do so may result in automatic termination of your current employment, denial of an initial or renewal application for certification, revocation of your certification or conditional certification as a homemaker-home health aide and/or a fine of up to \$1,000.

DISQUALIFYING CRIMES CRIMES SET FORTH IN N.J.S. 2C THAT DISQUALIFY AN APPLICANT PURSUANT TO N.J.S. 45:11-24.3

- (1) In New Jersey, any crime or disorderly persons offense:
 - (a) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in <u>N.J.S.</u> 2C:11-1 <u>et seq.</u>, <u>N.J.S.</u> 2C:13-1 <u>et seq.</u>, or 2C:14-1 <u>et seq.</u>, <u>N.J.S.</u> 2C:15-1 <u>et seq.</u>; or
 - (b) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S. 2C:24-1 et seq.; or
 - (c) involving theft as set forth in chapter 20 of Title 2C of the New Jersey Statutes; or
 - (d) involving any controlled dangerous substance or controlled substance analog as set forth in chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a of N.J.S. 2C:35-10.
- (2) In any other state jurisdiction, of conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described above in paragraph (1) of this section.

N.J.S. 2C:11

<u>N.J.S. 2C:11</u>				
N.J.S. 2C:11-1	Bodily Injury			
<u>N.J.S</u> . 2C:11-2	Criminal Homicide			
N.J.S. 2C:11-3	Murder			
<u>N.J.S.</u> 2C:11-4	Manslaughter			
N.J.S. 2C:11-5	Death by Auto or Vessel			
<u>N.J.S.</u> 2C:11-6	Aiding Suicide			
<u>I</u>	N.J.S. 2C:12			
<u>N.J.S.</u> 2C:12-1	Assault			
N.J.S. 2C:12-2	Recklessly Endangering Another Person			
N.J.S. 2C:12-3	Terroristic Threats			
<u>N.J.S.</u> 2C:12-10	Stalking			
<u>N</u>	N.J.S. 2C:13			
<u>N.J.S.</u> 2C:13-1	Kidnapping			
<u>N.J.S.</u> 2C:13-2	Criminal Restraint			
<u>N.J.S.</u> 2C:13-3	False Imprisonment			
N.J.S. 2C:13-4	Interference With Custody			
N.J.S. 2C:13-5	Criminal Coercion			
<u>N.J.S.</u> 2C:13-6	Enticing Child Into Motor Vehicle, Structure or Isolated Area			

N.J.S. 2C:14

<u>N.J.S.</u> 2C:14-2	Sexual Assault
<u>N.J.S.</u> 2C:14-3	Criminal Sexual Contact
<u>N.J.S.</u> 2C:14-4	Lewdness
<u>N</u>	.J.S. 2C:15
<u>N.J.S.</u> 2C:15-1	Robbery
<u>N.J.S.</u> 2C:15-2	Carjacking
<u>N</u>	.J.S. 2C:20
<u>N.J.S.</u> 2C:20-2.1	Automobile Theft
N.J.S. 2C:20-3	Theft by Unlawful Taking or Disposition
<u>N.J.S.</u> 2C:20-4	Theft by Deception
<u>N.J.S.</u> 2C:20-5	Theft by Extortion
<u>N.J.S.</u> 2C:20-6	Theft of Property Lost, Mislaid or Delivered by Mistake
N.J.S. 2C:20-7	Receiving Stolen Property
<u>N.J.S.</u> 2C:20-7.1	Fencing
<u>N.J.S.</u> 2C:20-8	Theft of Services
<u>N.J.S.</u> 2C:20-9	Theft by Failure to Make Required Disposition of Property Received
<u>N.J.S.</u> 2C:20-10	Unlawful Taking of Means and Conveyance
<u>N.J.S.</u> 2C:20-11	Shoplifting
<u>N.J.S.</u> 2C:20-13	Library Materials, Purposeful Concealment, Prima Facie Presumption
N.J.S. 2C:20-14	Taking Person into Custody for Probable Cause for Belief of Willfully Concealing Library Material; Arrest without Warrant; Probable Cause for Belief of Theft; Immunity from Liability
<u>N.J.S.</u> 2C:20-15	Sign: Posting
<u>N.J.S.</u> 2C:20-16	Maintaining Facility for Sale of Stolen Automobiles or their Parts
<u>N.J.S.</u> 2C:20-17	Employment of Juvenile to Commit Automobile Theft
<u>N.J.S.</u> 2C:20-18	Leader of Auto Theft Trafficking Network
N.J.S. 2C:20-25	Computer-Related Theft

<u>N.J.S.</u> 2C:20-26	Property or Services of \$75,000 or More
<u>N.J.S.</u> 2C:20-27	Property or Services Between \$500 and \$75,000
<u>N.J.S.</u> 2C:20-28	Property or Services Between \$200 and \$500
<u>N.J.S.</u> 2C:20-29	Property or Services of \$200 or less
<u>N.J.S.</u> 2C:20-30	Damage or Wrongful Access to Computer System
<u>N.J.S.</u> 2C:20-31	Disclosure of Data from Wrongful Access
<u>N.J.S.</u> 2C:20-32	Wrongful Access to Computer
<u>N.J.S.</u> 2C:20-33	Copy or Alteration of Program or Software with Value of \$1,000 or less
<u>N.J.S.</u> 2C:20-36	Prohibited Transactions Involving Food Stamps, Coupons, or ATP Cards of \$150 or More
<u>N.J.S.</u> 2C:20-37	Prohibited Transactions Involving Food Stamps, Coupons, or ATP Cards of Less than \$150
	N.J.S. 2C:24
N.J.S. 2C:24-1	Bigamy
<u>N.J.S.</u> 2C:24-4	Endangering Welfare of Children
<u>N.J.S.</u> 2C:24-5	Willful Non-Support
<u>N.J.S.</u> 2C:24-6	Unlawful Adoptions
N.J.S. 2C:24-7	Endangering the Welfare of an Incompetent Person
<u>N.J.S.</u> 2C:24-8	Endangering the Welfare of Elderly or Disabled
	N.J.S. 2C:35
N.J.S. 2C:35-3	Leader of Narcotics Trafficking Network
<u>N.J.S.</u> 2C:35-4	Maintaining or Operating a Controlled Dangerous Substance Production Facility
N.J.S. 2C:35-5 N.J.S. 2C:35-6	Manufacturing, Distributing or Dispensing Employing a Juvenile in a Drug Distribution Scheme
<u>N.J.S.</u> 2C:35-7	Distributing, Dispensing or Processing Controlled Dangerous Substance or Controlled Substance Analog on or within 1,000 feet of School Property or Bus
<u>N.J.S.</u> 2C:35-8	Distribution to Persons under age 18
<u>N.J.S.</u> 2C:35-9	Strict Liability for Drug Induced Deaths
N.J.S. 2C:35-10	Possession, Use or Being Under the Influence, or Failure to Make Lawful Disposition (except paragraph (4) of subsection 9).
<u>N.J.S.</u> 2C:35-11	Imitation Controlled Dangerous Substance; Distribution,

		3 6		
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1 0550	SOLULL.	ivianu	facture,	CIC.

N.J.S.2C:35-13	Obtaining By Fraud
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N.J.S.2C:35-16.1 Conviction of Drug Related Offenses Taking Place Upon

Leased Residential Premises



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CERTIFICATION & AUTHORIZATION FORM FOR CRIMINAL HISTORY BACKGROUND CHECK

Directions: Answer each question, sign and have the form notarized.

	Mr. Mrs.						
1.	Name Ms	First	Middle	Last	Maiden	Name	
2.	Address	Street	City	State	ZIP code	County	
		per (if already issue				,	
3.	Date of Birth	Month Day Year	Sex:	Male Female	Place of Birth _	City	State
4.	Check Race:	□ Asian □	Black	☐ American Inc	dian □ Unk	known \square	White
5.	Social Security	number / _	/	Telepho	ne number	In also de la co	
	(Provision of you	ır Social Security n	umber is	voluntary; however, provide this identif	, it is necessary to	o ensure the	e reliability
6.	Employer name	e (N.J. home care s	ervices ag	gency)			
	Address	t		City	State	ZIP code	County
	Identification no	umber*		Telepho	ne number	Include area	code

* Identification number refers to agency H.I.P. number, or facility number.

CRIMES AND OFFENSES

A person shall be disqualified from certification if that person's criminal history record background check reveals a record for conviction of any of the following crimes or offenses. (If you are not sure which crimes are considered disqualifying offenses, please check pages 3-5 of the instructions.)

- (1) In New Jersey, any crime or disorderly persons offense:
 - (a) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:11-1et seq.; N.J.S.2C:12-1et seq., N.J.S.2C:13-1et seq., N.J.S.2C:14-1et seq., or N.J.S.2C:15-1et seq.; or
 - (b) against the family, children, or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:24-1et seq.; or
 - (c) involving theft as set forth in N.J.S.2C:20-1 et seq.; or
 - (d) involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a of N.J.S.2C:35-10.
- (2) In any other state or jurisdiction, of conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in paragraph (1) of this subsection.

7. Check only one b		- f 41 111	1:6-:		
	 □ I have no record of conviction for any of the disqualifying crimes or offenses identified on the previous page. □ I have been convicted of one or more of the disqualifying crimes or offenses identified on the previous page. 				
Every such convitermination of proof or supervisor letter submitted with thi employment, der	ction on record must be di obation order, if applicable, rs of reference, if applicable s form. Failure to follow the nial of an initial or reinsta onditional certification ar	sclosed. True must be subre) which prese nese instructi tement appli	copies of each judg mitted with this for ent clear and convir ions may result in a ication as a homen	ment of conviction, senter m. Any documents (inclu- ncing evidence of rehabil- nutomatic termination o	ncing order and ding employer itation must be f your current
Jersey Board of N crimes or offense in automatic ter	responsibility to disclose of tursing within no more that it is identified on the previous mination of your current ocation of your certification to \$1,000.	n five (5) bus s page after t employmen	siness days if you and this form has left you the denial of an initial of an initial of an initial was an initial was an initial was an initial was a single was	re convicted of any of the our hands. Failure to do tial or reinstatement a	e disqualifying so may result pplication for
	ediately inform the Ne e requires the submiss				ress change.
		A ffida	AVIT		
This affidavit is to be	e executed by the applican	nt before a no	otary public:		
State of:)			
County of:		ss.			
New Jersey Board of with this application a failure to make full di of or suspend or revolution. I further swear (or affi Jersey Board of Nursi the Board, I bind mys Furthermore, I volunt for the purpose of verification.	ensure under the provisions Nursing, swear (or affirm) is true to the best of my k sclosures may be deemed at a certificate or license is rm) that I have read N.J.S ng, N.J.A.C. 13:37-1.1 et self to be governed by them arily consent to a thorough affying my qualifications for remental agencies and instr	s of Title 45 of that I am the nowledge and sufficient to consult the sued by the B. 45:11-23 eq., and fully the investigation certification	of the General Statue applicant and that described belief. I understandency certification of Board. Let seq., together with a understand that in the confidence of my present an or licensure. I further	all information provided and that any omissions, it licensure or to withhold that the Rules and Regulation receiving certification or d past employment and alter authorize all institution	ne Rules of the l in connection naccuracies or l reinstatement ons of the New licensure from other activities ons, employers,
files or records reques			(, ,		, ,
	Signature of applicant		I		1
Sworn and subscrib	ed to before me this				
day of	Month	Year		Affix Seal Here	
Nam	e of Notary Public (please print)				

Signature of Notary Public



Division of Consumer Affairs New Jersey Board of Nursing 124 Halsey Street, P.O. Box 45010 Newark, New Jersey 07101 (973) 504-6430

APPLICATION FOR REINSTATEMENT OF NEW JERSEY HOMEMAKER-HOME HEALTH AIDE CERTIFICATE

YOU MAY NOT PRACTICE IN THE STATE OF NEW JERSEY UNTIL YOUR HOMEMAKER-HOME HEALTH AIDE CERTIFICATE IS REINSTATED.

Please print in black or blue ink only. This application must be completed, notarized and returned to the New Jersey Board of Nursing with your reinstatement fee payable by check or money order. Please be advised that the application fee is nonrefundable. The certification fee is refundable.

Complete the following information:

Full Name	
Address	
City, State, ZIP	
Telephone number(s)	(Work)
Date of Birth / / Certificate number	
Social Security Number	
You <u>must</u> provide your Social Security number to the Board or Conlicensure or certification.	nmittee. Failure to do so will result in denial/nonrenewal of
*Social Security Number:	
*Pursuant to N.J.S.A. 54:50-24 et seq. of the New Jersey taxatic	

- *Pursuant to N.J.S.A. 54:50-24 et seq. of the New Jersey taxation law, N.J.S.A. 2A:17-56.44e of the New Jersey Child Support Enforcement Law, Section 1128E(b)(2)A of the Social Security Act and 45 C.F.R. 60.7,60.8 and 60.9, the Board or Committee is required to obtain your Social Security number. Pursuant to these authorities, the Board or Committee is also obligated to provide your Social Security number to:
- a. the Director of Taxation to assist in the administration and enforcement of any tax law, including for the purpose of reviewing compliance with State tax law and updating and correcting tax records;
- b. the Probation Division or any other agency responsible for child support enforcement, upon request; and
- c. the National Practitioner Data Bank and the H.I.P. Data Bank, when reporting adverse actions relating to health care professionals.

Citizenship / Immigration Status

	Federal law limits the issuance or renewal of professional or occupational licent To comply with this federal law, check the appropriate box below which indicate a U.S. citizen, attach a copy of your alien registration card (front and back) of Citizenship and Immigration Services (USCIS).	es your	citizens	hip/imi	nigra	tion sta	tus. If	you are not
	 □ U.S. citizen □ Alien lawfully admitted for permanent residence in U.S □ Other immigration status 	S.						
	Questions about your immigration status and whether or not it is a qualifying USCIS at: 1-800-375-5283.	g status	s under	federal	law s	hould l	oe dire	ected to the
Ch	ild Support							
	Please certify, under penalty of perjury, the following:							
	a. Do you currently have a child-support obligation?					Yes		No
	(1) If "Yes," are you in arrears in payment of said obligation?					Yes		No
	(2) If "Yes," does the arrearage match or exceed the total amount pa	yable i	for the 1	past six	mon	ths?		
						Yes		No
	b. Have you failed to provide any court-ordered health insurance covera	age du	ring the	past si	ix mo	onths?		
						Yes		No
	c. Have you failed to respond to a subpoena relating to either a paternit	y or ch	nild-sup	port pr	oceed	ling?		
						Yes		No
	d. Are you the subject of a child-support-related arrest warrant?					Yes		No
	In accordance with <u>N.J.S.A.</u> 2A:17-56.44d, an answer of "Yes" to any of to of licensure or certification. Furthermore, any false certification of the about limited to, immediate revocation or suspension of licensure or certification.	oove m						
	Applicant's name (please print) Applicant's	signature			-		Date	e
	ease answer ALL of the questions below as they apply to the period of time since you last applied for reinstatement.	od of	time s	ince y	ou w	vere la	ast ce	rtified or
1.	Have you been convicted of a crime?		Yes		No			
2.	Are there any criminal charges against you now pending? (Parking or speeding violations do not require you to answer "Yes," but all other motor vehicle offenses must be disclosed.)		Yes		No			
3.	Has your professional license been revoked or suspended (whether active <u>or</u> stayed) by any licensing board?		Yes		No			
4.	Is any action now pending against your professional license or have you been permitted to surrender or otherwise relinquish your license to avoid inquiry, investigation or action by any state licensing board?		Yes		No			

AFFIDAVIT FOR EMPLOYER VERIFICATION

This affidavit is to be executed by the prospective employer before a notary public: State of: _______ }ss. I verify that the applicant named in the preceding affidavit will be employed by the agency indicated below upon the applicant's recertification. Name of agency or health care service firm Street address City State ZIP code County Name of Prospective Employer (please print) Signature of Prospective Employer Date Sworn and subscribed to before me this _____ day of _____ **Affix Seal Here** Name of Notary Public (please print)

Signature of Notary Public



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Reinstatement Applicant - Expired Five Years or More Completion of Homemaker Home Health Aide Training Verification

Dear Reinstatement Applicant:

The New Jersey Board of Nursing records reveal that your homemaker-home health aide certification has been expired for more than five years. For this reason, you must repeat the 76-hour Homemaker-Home Health Aide Training Program or a 10-hour Certified Nurse Assistant conversion course (only if applicant has a current active Certified Nurse Assistant license) and submit documented proof from an agency or school that you successfully completed the mandatory training.

Please have this section completed and notarized. Also, attach documented proof that you successfully completed the Homemaker-Home Health Aide Training Program by either submitting a copy of the 76-hour training program diploma or a notorized letter from the school or agency confirming the completion of the training.

I certify that	has successfully repeated a Homemaker-Home Health Aide			
Training Program from(Month/I	to Day/Year) (Month/Day	y/Year) at		
agency/school.				
Applicant's Signa	ature	Agency/School Official's Signature		
Sworn and subscribed to me before	ore this			
day of	,	Affix Seal Here		
Month	Year			
Name of Notary Public	(please print)	_		
Signature of Notar	y Public	Date Commission Expires		